

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.8357 OF 2005

Smt.Nirmala Indrabahadur Singh..

Petitioner

versus

1. The State of Maharashtra & ors.. Respondents

Mr.P.A.Pol for Petitioner

CORAM : D.G.KARNIK, J**DATED : 27th February, 2006**

P.C.

1. Heard learned counsel for the petitioner.

2. By an advertisement dated 8th November, 2002 government called for applications for the allotment of the fair price shops (commonly known as rationing shops) for 222 places in various rationing areas. The applicant applied for grant of one fair price shops in one area. By an order dated 22nd July, 2004 the Controller of Rationing came to the conclusion that none of the applicants for that area were qualified and therefore decided to re-advertise the allotments of the shops for that area. By an order dated 5th October, 2004 revision application filed by the petitioner

before the Honourable Minister was dismissed. I do not find any error in the finding of fact recorded by the Controller of Rationing that the applicant was not qualified when she applied for allotment. In the circumstances, no interference is called for.

3. Needless to say that when fresh advertisement is issued, applicant would be entitled to apply if on the date of the fresh application she fulfils the qualifications for allotment. With these observations the Writ Petition is rejected summarily.

(D.G. KARNIK, J)

rng.